



UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

TYRONE PAUL PONTHEUX,

Defendant.

2:15-CR-00327-APG-(NJK)

PRELIMINARY ORDER OF FORFEITURE

This Court finds that defendant TYRONE PAUL PONTHEUX pled guilty to Counts One and Two of a Two-Count Criminal Indictment charging him in Count One with Threats Against the President of the United States in violation of Title 18, United States Code, Section 871(a) and in Count Two with Threats Against a Federal Official in violation of Title 18, United States Code, Section 115(a)(1)(b).

This Court finds defendant TYRONE PAUL PONTHEUX agreed to the forfeiture of the property set forth in the Plea Agreement.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the offenses to which defendant TYRONE PAUL PONTHEUX pled guilty.

The following assets are (1) any firearm or ammunition involved in or used in any knowing violation of any other criminal law of the United States, Title 18, United States Code, Sections 871(a) and 115(a)(1)(b); and (2) any firearm or ammunition intended to be used in violation of any crime of

1 violence, Title 18, United States Code, Section 871(a) and 115(a)(1)(b) and are subject to forfeiture
2 pursuant to Title 18, United States Code, Section 924(d)(1) with Title 28, United States Code, Section
3 2461(c) and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United
4 States Code, Section 2461(c):

- 5 1. Windam Weaponry, Inc., WW-15 .223 Caliber Rifle, serial number WW078387;
- 6 2. Rugar Sturm, .223 Caliber Rifle, serial number 583-05498;
- 7 3. BOITO / ER AMANTINO / IGA Coach Gun, 20 Gauge Side by Side Shotgun,
8 serial number C701066-13;
- 9 4. Marlin 882SS, .22 Caliber Rifle, serial number 01292842;
- 10 5. Beretta 92FS, 9mm Pistol, serial number BER649032;
- 11 6. Marlin 444SS, .444 Caliber Rifle, serial number 10002851; and
- 12 7. Beretta PX4 Storm, 9mm Pistol, serial number PX171060

13 (all of which constitutes property).

14 This Court finds the United States of America is now entitled to, and should, reduce the
15 aforementioned property to the possession of the United States of America.

16 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
17 United States of America should seize the aforementioned property.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
19 TYRONE PAUL PONTHEUX in the aforementioned property is forfeited and is vested in the United
20 States of America and shall be safely held by the United States of America until further order of the
21 Court.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
23 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
24 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the
25 time under the applicable statute when a petition contesting the forfeiture must be filed, and state the
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1 name and contact information for the government attorney to be served with the petition, pursuant to
2 Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity
4 who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate
5 the validity of the petitioner's alleged interest in the property, which petition shall be signed by the
6 petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and
7 Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's
8 right, title, or interest in the forfeited property and any additional facts supporting the petitioner's
9 petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
11 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than
12 thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days
13 after the first day of the publication on the official internet government forfeiture site,
14 www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
16 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
17 following address at the time of filing:

18 Daniel D. Hollingsworth
19 Assistant United States Attorney
20 Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
22 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
23 following publication of notice of seizure and intent to administratively forfeit the above-described
24 property.
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2 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies of
3 this Order to all counsel of record.

4 DATED this 13th day of April, 2016.

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UNITED STATES DISTRICT JUDGE
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